

**Introduced by Senator Margett**

February 13, 2003

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An act to amend Section 208.5 of the Welfare and Institutions Code, relating to juvenile offenders.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 222, as introduced, Margett. Juveniles: detention.

Existing law provides that persons who are detained in or committed to county juvenile facilities and who attain 18 years of age prior to or during the period of detention or confinement may be allowed to come into or remain in contact with juveniles in the facility until 19 years of age. Upon attaining 19 years of age and upon the recommendation of the sheriff, that person is required to be delivered to the custody of the sheriff for the remainder of the time he or she remains in custody. Existing law requires that, when that person attains 19 years of age, he or she is also required to be advised of his or her ability to petition the court for continued detention in a juvenile facility.

This bill would require that person to be advised of his or her ability to petition the court for continued detention in a juvenile facility when he or she attains 18 years of age. The bill would also delete the provision permitting these persons to come into or remain in contact with juveniles housed in the facility until 19 years of age. The bill would instead provide that persons who are detained in juvenile facilities and who have attained 18 years of age may come into or remain in contact with minors.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.



*The people of the State of California do enact as follows:*

1     SECTION 1. Section 208.5 of the Welfare and Institutions  
2     Code is amended to read:  
3     208.5. Notwithstanding any other provision of law, in any  
4     case in which a ~~minor~~ *person* who is detained in or committed to  
5     a county institution established for the purpose of housing  
6     juveniles attains ~~the age of 18 years of age~~ prior to or during the  
7     period of detention or confinement he or she ~~may be allowed to~~  
8     ~~come or remain in contact with those juveniles until the age of 19,~~  
9     ~~at which time he or she,~~ upon the recommendation of the probation  
10    officer *and agreement of the sheriff*, shall be delivered to the  
11    custody of the sheriff for the remainder of the time he or she  
12    remains in custody, unless the juvenile court orders continued  
13    detention in a juvenile facility. The person shall be advised of his  
14    or her ability to petition the court for continued detention in a  
15    juvenile facility at the time of his or her attainment of ~~the age of~~  
16    ~~19~~ *18 years of age*. Notwithstanding any other provision of law, the  
17    sheriff may allow ~~such a~~ *the* person to come into and remain in  
18    contact with other adults in the county jail or in any other county  
19    correctional facility in which he or she is housed. *Persons who are*  
20    *detained in juvenile facilities and who have attained 18 years of*  
21    *age may come into or remain in contact with minors.*

